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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 RICHARD DWYER,

11 Plaintiff,

12 v.

13 TRINITY FINANCIAL SERVICES,
14 LLC,

15 Defendant.

CASE NO. C20-1236JLR-SKV

ORDER ADOPTING REPORT
AND RECOMMENDATION

16 This matter comes before the court on the Report and Recommendation of United
17 States Magistrate Judge S. Kate Vaughan. (R&R (Dkt. # 30).) Having carefully
18 reviewed the Report and Recommendation, all other relevant documents, and the
19 governing law, the court ADOPTS the Report and Recommendation (Dkt. # 30) and
20 GRANTS in part and DENIES in part Defendant Trinity Financial Services, LLC's
21 ("Trinity") motion to dismiss (Dkt. # 24).

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1 A district court has jurisdiction to review a Magistrate Judge's report and
2 recommendation on dispositive matters. Fed. R. Civ. P. 72(b). "The district judge must
3 determine de novo any part of the magistrate judge's disposition that has been properly
4 objected to." *Id.* The court reviews de novo those portions of the report and
5 recommendation to which specific written objection is made. *United States v.*
6 *Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc). When no objections are
7 filed, the court need not review de novo the report and recommendation. *Wang v.*
8 *Masaitis*, 416 F.3d 992, 1000 n.13 (9th Cir. 2005).

9 Here, no party has objected to the Report and Recommendation. (*See Dkt.*) Thus,
10 the court need not review de novo the Report and Recommendation. *See Wang*, 416 F.3d
11 at 1000. Moreover, the court has examined the record, including the Report and
12 Recommendation, and finds the Magistrate Judge's reasoning persuasive in light of that
13 record. Accordingly, the court ADOPTS the Report and Recommendation in its entirety.
14 Plaintiff Richard Dwyer's claims under 15 U.S.C. § 1641(g) and RCW 19.148.030, as
15 well as his quiet title and RCW 19.86 *et seq.* claims based on laches and waiver, are
16 DISMISSED with prejudice. His claims under 15 U.S.C. §§ 1692e(2)(A), 1692e(5),
17 1692e(10), 1692f(6), and 1692g(a); 15 U.S.C. § 1638(f)(1); and RCW 7.28.300 are
18 DISMISSED without prejudice and with leave to amend. Mr. Dwyer shall file an
19 amended complaint, if any, within fourteen (14) days of the date this order is filed. The


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1 Clerk is DIRECTED to send copies of this order to the parties and to Magistrate Judge
2 Vaughan.

3 Dated this RD 23 day of August, 2021.

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5 JAMES L. ROBART
United States District Judge
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